THE COURTS.

Important Proceedings in the Courts Westerday.

The Martin R. Cook Allegen Whiskey Frauds-Fresh Trouble in Eric Stock—A Theatrical Imbroglio—Real Estate—Boulevard Property in Litigation - The Jumel Will and Estate Again in the Courts-The Ship Neptune Outrages - Sentences.

UNITED STATES COMMISSIONERS' COURT.

Alleged Fraudulent Removal of Whiskey-The

Before Commissioner Betts.

The United States vs. Martin R. Cook.—The defend-McMillan, and is charged with having aided and abetted one Ebenezer W. Farrington, an ex-gauger or revenue inspector, in making false and fraudulent returns of whiskey in bond, and having the same removed in much larger quantities than the owners

aid the revenue tax on.

This is one of the cases which Collector Balley has

This is one of the cases which Collector Balley has brought before the attention of the government, and in which his action in the premises has excited so much public comment. The case has been under examination for several days without much material testimony having been eliqued.

Yesterday Junge Pierrepont, District Attorney, conducted the prosecution, Messrs, Sannel G. Courtney and Pelton appearing for the defendant.

T. C. Koop was the first witness examined. He dentified a number of gaugers' and inspectors' returns which were found on the premises of Gordon, Fellowes and Momilian; those returns were marked exhibits, running from A well through the alphabet; be identified without A as an entry of merchandise to be withdrawn by E. B. White; exhibits A and C were put in evidence, the signatures to them being admitted to be in defendant's handwriting.

Moses F. Webb, Deputy Collector of the Thirty-second collection district, identified other returns which were found on the premises of Gordon, Fellowes and McMilian; those returns were seized by witness and McMilian; those returns were seized by witness and McMilian; those returns were seized by witness thanded witness the low in which the referedant handed witness the low in which

owes and McMilian; these returns were seized by witness and brought to Collector Balley's office; defendant handed witness the box in which the returns had been deposited, but he (defendant) observed to his taking away the box; found and now dentified returns marked exhibits A, B and C in the havonce box of the defendant; took away the book and has kept it till this time.

Counsel for the defendant objected to the exhibits as evidence. Admitted so far as identification went, but not as applying to the charge against the defendant.

but not as applying to the charge against the defend ant.

W. S. Harvey, bond clerk of Collector Balley's office, testified to the signature of Deputy Collector Shaffer to exhibit A, and also to the signature of Farrington to exhibit C. Several winesses testified as to the signatures to the returns and entries.

John S. Griggs, cierk to Gordon, Fellowes & McMillan in Angust, 1863, testified that barreis mentioned in exhibit A were shipped to Boston; attended to the shipping of them; knew the defendant in the other case, Farrington; several times carried letters from Cook to Farrington; several times carried letters from Cook to Farrington; several times carried entering the cook's office, where both talked together with reference to the withdrawal of whiskey; heard something at the time which made me believe their contains. in cook's office, where both talked together with reterence to the withdrawal or whiskey; heard sometaing at the time which made me believe their containing at the time which made me believe their conterence to the withdrawal or whiskey; heard some
the habit of gauging and inspecting whiskey barrels
for Gordon, Fellowes & McMillan on which we paid
tax in accordance with his returns; I saw
the marks on the book and the mark of
the gauging; saw them subsequently inspected
by the receiving clerk at the store in a case that i
saw the marks on the barrels were less than the
contents; what purported to be the letters carried by
wilness from Cook to Farrington had something
evidently more than writting in them; the contents
felt soft and thick; considered at the time that the
envelopes contained money sent by Cook to Farrington; Young was Gordon, Fellowes & McMillan's receiving clerk; saw him inspect the barrels and note
the contents on paper, which he hadded to defendant, Cook; the gauging by Young showed that the
barrels contained more than the gauger's returns
set forth.

Winfield Tucker, cashler in 1888 for Gordon, Fel-

ant, Cook; the gauging by Young showed that the barrels contained more than the gauger's returns see forth.

Winfield Tucker, cashler in 1888 for Gordon, Fellowes & McMillan, testified that he had been instructed by Cook to enclose money in envelopes, from fifty dollars to \$500, at various times; Cook told him to seat the envelopes with mucliage; he did so and then handed the money and envelopes to Cook; Cook also told him to what accounts to charge the money; not to the regular accounts; on one or two occasions Cook sala to him that he did not want to have it known what the envelopes contained; the entries showed no bills or names.

The case was then adjourned till this morning, at eleven o'clock.

Before Commissioner Shields.

The United States vs. W. H. Johnston.—The de fendant was charged with delrauding discharged soldiers of their bounty in confunction with William Solders of their bounty in confunction with William Sheldon, a pension agent, in whose office the defendant was for some time employed. In the course of the testimony it appeared that Johnston was but an accessory in the particular fraud for which he had been arrested and was now charged. A compromise was consented to by the government by which Johnston paid \$100, the amount claimed by the soldier, and on further giving bonds in \$500 to appear against Sheldon, the alleged principal he was discensived. On motion of General Jackson the Commissioner discharged the defendant.

Assault on the High Seas-The Accused Sent Home for Trial and Permitted to Escape or Staten Island.

oner Shields yesterday received official papers from the United States Consulat Para, Brazil. being the testimony taken before him on the combeing the testimony taken before him on the com-plaint of Edward C. Morton, mate of the American schooner Edwin, aramst Peter Craven, a seaman beionging to the said schooner. The charge is that Craven liercely assaulted and seriously wounded the mate with a knife. The Consul informed the Com-missioner that he had placed the accused in charge of E. G. Drayton, captain of the schooner. The ves-sel arrived in the harbor on Saturday last, and the documents were at once forwarded to the District Attorney's office. In the meantime those having Craven in charge landed with him on Staten Island, and there permitted him to escape. Commissioner Shields has issued a warrant for his arrest.

SUPERIOR COURT-SPECIAL TERM.

More Trouble in Erie-"Puts" of Stock and What Came of It. Before Judge Spencer.

George F. Gray vs. Fisk, Belden & Co.-This is an action to recover between \$20,000 and \$30,000 by reason of the defendants, who were former bankers of the plaintlif, withholding an alleged balance in of the plaintiff, withholding an alleged balance in their hands of the above amount, together with damages for "taking in" 300 shares in Erie.

The plaintiff ciaims that prior to Maron, 1868, he had over \$12,000 in defendants' hands, and about that time ordered them to sell for his account, and about the time of the strong of the same for his account, and that a certain fluctuation having occurred in a day or two afterwards they (defendants) took in the stock, which gave them a reclamation against the plaintiff for some thousands of dollars, besides using up nis whole back balances. The plaintiff alleges that the defendants never took in the stock, but made fictitious "puts." He also claims that his balance was kept up and that his margins were right, entitling him to the full term for carrying the stock.

The case now comes up on a motion by Mr. T. B.

his margins were right, entitling him to the lunterm for carrying the stock.

The case now comes up on a motion by Mr. T. B. Eldridge, on behalf of plaintiff, for a reference, on the ground of long accounts being involved. A referee (Mr. B. C. Fair) had previously been appointed by Judge Fithian, to whom the defendants, through their counsel, D. D. Field, ir., objected, and the referee declined to serve. A motion was now made to accept his resignation and appoint a new referee.

Defendants' counsel objected and made a cross motion to set aside the order of referee, naming, however, several gentlemen to whom he was willing to have the matter referred. motion to see asked and the whom he was willing to have the matter referred.

The Court took the papers and reserved decision

SUPERIOR COURT-SPECIAL TERM. Interesting Real Estate Case-Boulevard Property, Divorce and Other Complications.

Before Judge Spencer. William H. Baldwin and Sarah Edzabeth Wiltiams, Wife of William H. Williams vs. Eti-zabeth Baidwin, Impleaded with Luke Owens and Elizabeth Jane, His Wife.-This was an action for the recovery of upwards of \$21,000, brought by the plaintiffs, who claim to be the children and only heirs of Jacob L. Baldwin, deceased, who died on the 21st of October, 1851. It seems that the money in question was awarded by the Commissioners of Estimate and Assessment to the owner of property in Eighty-third street and Bloomingdale road for part of the land taken there for the new drive or part of the land taken there for the new drive or boulevard. The money was paid by the Comptroller of the city of New York to the defendant, Elizabeth Baldwin, otherwise called Elizabeth Eazler, alias Jane Park, who claimed to be owner of the land and whow of the deceased. The plaintiffs claim that Jacob L. Baldwin was married to their mother in New Jersey some years ago, and that he abandoned her and went to live with the defendant, Mrs. Ealdwin, with whom he conabited; that she (the mother of the plaintiffs) subsequently obtained a divorce from her musband on the ground of adultery, the marriage being dissolved by the defendant, Mrs. Baldwin, lived with their father in adulterous intercourse for years, and that she fraudulently obtained the money from the Comptroller under pretence of right.

The defendant Mrs. Baldwin, claims that she married Mr. Baldwin in Jersey in 1835, he representing hat he was a bachelor, and that she was signorant of he fact that he was married until years after; that the recovery of upwards of \$21,000, brought by the

she gave Saldwin \$600 to buy the land in question; that he paid about ninety dollars on account of the purchase, fraudilently took title in his own name and executed a mortgage to the former owner, Jonn Leconte, for \$510; that she subsequently discovered, when the deed came from the Register's office, that the title was not in her name; accused her husband of the fraud, and he promised to convey it to her, which he never did; that subsequently she had loaned moneys to and for her husband, and then, by advice of her lawyer, she took a mortgage for \$12000 in her maiden name of Klizabeth Jane Park; that that mortgage being imposed she, after her husband's death, had it assigned, by advice of her lawyer, to Mr. Henry Jergins, in order to forectose the mortgage; that the mortgage was foreelosed in the name of Jergins, bought in by the defendant and a deed taken in her name on the 23d of November, 1802, from which time she has held title, claiming to be the owner, and under which time she ontained the money in hitsalded from the Comptroller.

The plaintiffs allege that the defendant fraudu-

claming to be the owner, and under which the sacontained the money in hillation from the Comportal troiler.

The plaintins allege that the defendant fraudulently invested portions of the money thus obtained namely, by paying \$6,500 for property in 128th street and by investing from \$14,000 to \$15,000 in the building of a house on property in 127th street, which she had owned for many years. Plaintins also charge that desendants, Luke Owens and Elizabeth Jane, his wife (she being the daughter of the deceased, Baidwin), had colinded together to conceal the funds, and that Mrs. Baidwin had made a fraudulent transfer of the lor in 127th street to her daughter. This action is now prought to trace the property and have it declared the property of the plaintiffs. Case still on.

COMMON PLEAS-SPECIAL TERM.

A Theatrical Imbroglio-Jarrett & Palmer in Court. Before Judge Van Brunt.

Albert Sylvester vs. Jarrett & Paimer.—This was a motion made on behalf of the defendants to open a judgment taken by default for \$400 in gold. The Judgment taken by default for \$400 in gold. The defendants are proprietors of Niblo's thearre and the plaintiff is an actor, who brought an action to recover for breach of contract on the ground that he was engaged by the defendants while in London to perform with his troupe in New York, commencing in August, 1869. Having played at The Tammany for three months he was discharged by the defendants, and the suit was brought to recover for loss of time from the 20th December, 1869, to the 16th January, 1870. Several anddavits were read to support the motion, and Mr. Booth stated that the plaintiff had recovered a judgment in the Marine Court on the contract for \$200 gold, and that the defendants had a good defence.

Mr. D. Barries upposed the motion and several defendants.

a good defence.

Mr. D. Barclay opposed the motion and contended that the Marine Court judgment had not been paid, and that defendants' amdayits did not show a good and sufficient defence.

Motion granted on payment of costs of motion and sheriff's fees.

The Jumel Estate Again-Artion Comu

to Set the Jumel Will Aside.

George W. Bowen et al. vs. Nelson Chase.—This action is brought by the plaintiff, who claims to be

the illegitimate child of Madame Jumel, and a Mrs. Vandervoort, claiming to be a daughter of one Maria Jones, a sister of Madame Jumel, to enforce their alleged rights to the estate of the latter, which is now in possession of Mr. Chase, under judgment of the court in the suit to set aside Madame Jumel's will. The case came up yesterday on a motion to set aside an injunction restraining Mr. Chase from disposing of the property and for a receiver to take possession of the property during the hitigation. The complaint was sworn to by Mrs. Vandervoort, and she makes affidavit as to Mr. Bowen's relationship to Madame Jumel.

The defendant denies the truth of these allegations, and says that as Mrs. Vandervoort is ten years younger than Mr. Bowen, her positive averments of his birth are mere hearsay, and that as to her own claim she told a different story as to her descent about two years since. He also alleges that the plaintiff Bowen had ample opportunity to prove his claims, not only in the will suit, to which he was not a party, but when the defendant earnestly sought in any way to invalidate Mr. Chase's title, but also in his own three suits, in which after months of watting, he had declined to try ms case.

Judge Van Erunt denied; the motion, with costs, to abide event.

Damages Against a Landlord.

Before Judge Loew.

Joseph Davis vs. Claude Ducreux.—This was an

ction brought by plaintiff, a printer, against his sction brought by plaintiff, a printer, against his landlord, the defendant, for damages arising from a neglect to keep plaintiff's roof repaired. The evidence disclosed the fact that frequently during the year 1307 the rain would pour into plaintiff's room through the roof, and that on one occasion his apartment was so flooded with water that considerable property became damaged, including a printing press, type, ink, paper, &c., and considerably interiering with the plaintiff's business. The defendant sought to deny the agreement to keep the roof in repair, but the jury, under an able charge from the court, were disinctlined to believe his version, and found a verdict in favor of plaintiff for the sum of \$125. For plaintiff, Adolph L. Sanger; for defendant ex-Judge Philips.

SUPERIOR COURT-SPECIAL TERM.

The Bininger Contempt Case-Order of the

By Judge McCunn. Abraham Clark vs. Abraham Binninger, and The

ame vs. Bracken et als.—Let the motions before me for contempt in all these cases stand over until February 26, 1870, at twelve o'clock M.

MARINE COURT.

The Ship Neptune Atrocities-Action for Dam-Before Judge Gross.

William Joyce vs. Peabody.-The defendant was aptain of the snip Neptune on her late voyage from shipped on board the Neptune in Liverpool on the 24th of December, and that on the subsequent Liverpool to this port. The plaintiff testified that he

> COURT OF GENERAL SESSIONS. Before Recorder Hackett.

SENTENCES.

Henry Hartwig was tried and convicted of stealing, on the 31st of January, a gold watch valued at fifty dollars, the property of Albert Konninger. He was sent to the State Prison for four years and six

Mary Ann Hogan pleaded guilty to petty larceny, she having been charged with stealing on the 10th of January flity-five dollars worth of fringe, from Raphael Springer. The Recorder sent her to the

she having been charged with stealing on the 10th of January flity-five dollars worth of fringe, from Haphael Springer. The Recorder sent her to the Penitentiary for six montos.

Arthur Phim and William Supp (boys) pleaded guilty to bargiary in the third degree. On the afternoon of the 12th Instant they burgiariously entered the premises of Henry E. Davis, No. 33 Chatton place, and stole thirty dollars' worth of lead pipe. They were sent to she House of Refuge.

John Williams pleaded guilty to an attempt at burglary in the third degree. The compiaint set forth that on the 9th inst. the premises of Samuel Figenbaum were entered and \$100 dollars' worth of skrits, stockings and drawers were stolen. The prisoner was remanded for sentence.

Michael Eagan was tried and acquitted of a charge of grand larceny. On the 26th of September Smith Scoffeld lost fifty dollars, and suspected Eagan, but the evidence was only circumstantial, and the jury promptly rendered a verdict of not guilty.

The following is the calendar to-day:—The People vs. Charles Dupell, rape; Same vs. James McCarty and Mensel Collins, robbery; Same vs. Uharies Bloom, John Gaier, James McCann. John Lone, Charles Williams, Peter Burk, James Parks, Martin Kerney, John Moore, Thomas Bigley, James Doran, William Fletcher, James Fletcher and John Patton, felonious assault and battery; Same vs. John Williams and George W. Howard, larceny from the person; Same vs. George Thompson, assault and battery.

COURT, CALENDARS-THIS DAY.

OYER AND TERMINER AND SUPREME COURT—CIR-CUTT.—Part I.—Before Judge Ingraham. No Circutt calendar. Part 2.—Before Judge Brady. Adjourned to Wednesday. calendar. Part z.—Beiore Judge Brady. Adjourned to Wednesday.

SUPREME COURT.—SPECIAL TERM.—Before Judge Cardozo.—Court opens at half-past ten A. M.—Nos. 252, 260, 236, 68, 125, 186, 295, 207, 264, 62, 199, 130, 161, 181, 221, 227, 51, 56, 59, 79, 87, 92, 93, 101, 114, 116, 122, 128, 131, 133, 135, 145, 165, 177, 188, 209, 211, 220, 242, 25136.

SUPREME COURT.—CHANNERS.—Before Judge Barnard. Calendar called at twelve M.—Nos. 104, 116. Call, 130.

To-day being Washington's birthday all other civil courts have adjourned until Wednesday.

BROOKLYN COURTS.

SUPR ME COURT-BENERAL TERM.

Fraudulent Divorces-Decree in the Suit of Jue vs. Jue Set Aside by the Court.

Before Judge Glibert.
The characteristic features of this case have already been fully laid before the readers of the HERALD. The motion to set aside the decree of divorce came on for hearing yesterday. Fisher, the notorious divorce lawyer, who ob-

tained the decree, having fied the country, and the circumstances of the guilt of all the parties involved—whether as counsel or witnesses—being so strong, it was naturally supposed that the plaintiff would not appear to oppose the motion; but such was not the case. The motion was warmly contested on affidayis, Mr. James B. Silk man appearing for the plaintiff, while Mr. William W. Goodrich argued the motion on behalf of the lady.

Judge Gilbert, who presided, appeared quite familiar with the details of the case, having already passed upon the same points in the suit of Dalzell vs. Dalzell. The Court made a summary disposal of the motion by granting an order vacating and setting aside the judgment, decree of divorce and order of reference on which the proceedings were had and all proceedings under the order. The Court further orders that a reference be had to ascertain the amount of alimony and counsel fees to be paid to the defendant.

Alleged Slander.

Jacob Funk vs. Jacob Eppinger .- The plaintiff brings a suit to recover \$2,000 damages for alleged slander, the defendant, as claimed, having in May last called him a "thief, a murderer and a rouber."? The defence is a general denial. Case still on.

A Negro on Trial for Manelaughter. Before Judge Troy and Justices Voornees and

The People vs. Primus Hamilton.-The prisoner who is a negro, was indicted on a charge of man-slanghter in having on the 20th of November last assaulted Gifford Brand, the proprietor of a lager assaulted Giford Brand, the proprietor of a lager beer saloon, corner of Graham avenue and Marshall street, E. D., and inflicted injuries upon him which caused his death. It seems that Brand had been suffering from hernia and the evidence for the prosecution showed that shortly before twelve o'clock on the night in question he was closing his saloon when the prisoner, who had been drinking there, kicked him in the abdomen because he would not give him another drink. He died on the following Monday of strangulated hernia, and the allegation is that his death was accelerated by the injury inflicted by the prisoner.

prisoner.

The daughter of the deceased testified that her father had told her that Hamilton was the one who had kicked him. This statement was accompanied by another to the effect that he (deceased) knew he was dying at the time he made it. A number of other withesses were examined.

The defence set up an alloi. Several witnesses were produced who testified that the prisoner was at home at the time the alleged assault was committed. The trial will be resumed on Wednesday.

Assault on a Child.

James Brown, the patenties of the "weather strips."

was indicted on the charge of having attempted to was indicted on the charge of naving attempted to outrage the person of Eliza Costello, aged nine years, whose parents reside at No. 505 Grand street, in September, 1868. He was tried last week, when the jury disagreed. Yesterday he pleaded guitty to an assault and pattery, and the plea being accepted Judge Troy sentenced him to the Penitentiary for three months.

three months.

Harriet Goslin, of Canarsie, was convicted of rob-bing William H. Caulfield of seventy collars and sentenced to the Penitentiary for three months. Arraignments.

The following persons indicted for the offences named were arraigned yesterday and pleaded not

Joe Cox and John Marshall, attempted burglary; trial, Wednesday. George Thompson, Joseph Eagan and Martin Rorke, burglary; trial on Wednesday. Thomas Smith and John McGowen, burglary; trial onThursday. Thomas White, assault and battery; trial on Thurs-

day.

John Donegan, assault and battery with intent to
do boully narm; trial on Thursday.
George A. Cumberson and James Haggerty, violation of the excise law; trial on Thursday.

The Court adjourned until Wednesday morning.

THE ASSASSINATION HOAX.

Trial of Police Officials for Promulgating the Rumor.

On the 5th inst., at noon, the afternoon papers pub lished the particulars of the arrest of several persons ny officers of the Twenty-ninth precinct on suspicion of having designs upon the life or person of the English Prince Arthur. The facts as published were

mainly obtained at the Twenty-ninth precinct station house.

The publication excited Superintendent Kennedy and President Bosworth. The former gentieman sent for Captain Burden, of the Twenty-ninth precinct, to meet him at his (Mr. Kennedy's) house. Mr. Burden proceeded there, when he was asked why he had not put the case on his return. Mr. Burden informed his superior that there was no basis for the report. Mr. Kennedy then ordered him to send his demail to his office by telegraph. On Saturday night Captain Burden sent the despatch denouncing the publication as all bosh. This was published in Sundays papers. On Monday Superintendent Kennedy officially addressed letters to the reporters, asking them to give the source of information now denied to be imparted. Mr. Kennedy made a long report (after obtaining the written statement of Jeiferson Market and other reporters that Captain Barden had promulgated the report and after its publication promunced the faces trae as published. The report made no recommendations. On this report the board made charges against Taylor and Carpenter, and subpensed Superintendent Kennedy, J. E. P. Doyle, A. O. McGrew, John Haiton, W. F. Quinian, A. W. Orr, and others.

The trial came on yesterday, when Doyle swore to obtaining the facts from Taylor and remarked that and Carpenter, and subpuenaed Superintendent Kennedy, J. E. P. Doyle, A. O. McGrew, John Halton, W. F. Quinian, A. W. Orr, and others.

The trial came on yesterday, when Doyle swore to obtaining the facts from Taylor, and remarked that when called upon officially he made his written statement to Mr. Kennedy with the express understanding that it was not to be used as the basis for a charge against Burden. When asked whether he had conversation with Burden on the subject he declined to answer, stating that Captain Burden was not on trial, and that when he was a defendant it was time to connect him with the case. The counsel for the defence, Mr. Spencer, objected to the admission of evidence against Captain Burden until he was placed under trial. The consequence was that the witnesses who were present to testify that Burden circulated the report before its publication were not called.

John Halton, of the Democrat, testified that at Jefferson Market Police Court Captain Burden approached him and asked him if he had that sensation here this morning; witness replied in the negative, when Burden told him that one of the prisoners arrested confided to officer Carpenter that there was an intention to assassinate Prince Arthur, Witness detailed his interview with Carpenter, which was a substantially as published in the Democrat of the 5th. Carpenter, he swore, on that occasion, stated he had reported the facts to Captain Burden.

Mr. McGrew was called, but as he had not obtained any information from the accused he was not examined. Murphy, one of the prisoners arrested, and who carpenter says told him of their intention, denied making any admission; denied that he carried a revoiver. He swore that he never heard the Prince mentioned that might, and did not know that he was in the neighborhood. The case was referred to a full board.

The charge against a tother times and judges, to make report in the public prints that an attempt had been contemplated by certain persons under arrest and other reporters of the public pri

JUSTICE TO ALL.

FEBRUARY 21, 1870.

TO THE EDITOR OF THE HERALD:-I find in your Sunday's issue an account of medals and money being awarded by the Humane Society wreck on the coast near Rockaway, L. I.; also a like reward given to Charles McCarthy for saving a child in Jersey City last summer, to which I was an eye

in Jersey City last summer, to which I was an eyewitness.

Now, there is a case which for bravery and personal risk incurred far surpasses that of McCarthy,
which I winessed. The hero is James Alien, an
attaché of your marine news office, at the foot of
Whitehail street, in this city. The Hamilton ferryboat had lete the slip for Brooklyn, when two men
in a smail boat attempted to cross her bow. Not having headway enough the steamer struck them amidship, stove the boat's side in, which filled, and the
two men were immediately precipitated into the
water. Neither could swim. Upon seeing the precarious condition of these unfortunates, who
were drowning. Jemmy, with promptness,
excellent judgment and coolness seldom exhibited on such occasions, went in his boat
to the rescue and landed them on terra firma in
less time than it has taken me to relate the facts.
This is a clear case of heroism, and there is nothing
relative to it in your report. It may not have come
under your observation or that of the Humane Socicity; if not, I hope the case will be looked into, and
that Jemmy Allen will receive his just reward. The
only reward ne has had so far was the grateful
thanks of those poor men, which, in his simplicity
and honesty, was all ne wanted. If awards are
made to others for such gallant conduct I see no
reason why this should be made an exception, and
I appeal to the humane gentlemen who make these
awards to give this young man who, as the peril of
his own life, saved these men irom death, a suitable
reward for this noble and humane gentlemen who make these

JACK REYNOLDS' LAST DITCH.

Is Hanging "Played Out "-The Murder of William Townsend-A Crowded Court Room and Excited Trial Scene-Testimony for the Prosecu-

tion Closed-Insanity the Only Defence.

"Jack" Reynolds, alias Breen, was yesterday placed on trial in the Court of Oyer and Terminer for the murder; of William Townsend on the 20th of January last. Judge ingraham presided. The circumstances of the crime alleged are yet fresh in the public mind, though, owing to the long list of deeds already on the criminal calendar, it would not be surprising if the remembrance of the one at issue were dimmed and confused. The strange yet significant expression which fell from the prisoner's lips immediately after his arrest—"Hanging for mur-der is played dut in New York"—has greatly excited the public interest and curiosity. Indeed, consider able importance has been attached to the remark, and for that reason, perhaps, as much as any other, the trial has been anx lously looked forward to. The court room was yesterday morning crowded to the doors, and as the prisoner, Reynolds, made his appearance the greatest excitement prevailed. The motley gathering that accompanied the unfortunate man from the Tombs followed him with hound-like persistency, hooting at him as he went along. Long before his arrival, however, not a seat in the court was left unoccupied. The most determined efforts on the part of the omcials were almost powerless to stem the current, and when the prisoner, handcuffed and surrounded by prison authorities, took his seat beside the counsel assigned an overwhelming rush was made to the railings to gratify the curiosity of those who glared upon him. The seats behind were desire to gain admittance that the hinges of the entrance door were almost carried away. Subdued tained probably one-third more than it ever did since its construction. A constant muttering was kept up behind, caused by the inconvenient positions upon which many of the spectators per ched.

The prisoner preserved the same unconscious, careless, vacant and seemingly idiotic look that characterized his appearance when last in courtie was shabbily attired, and had quite a neglected aspect. Shortly before eleven o'clock District Attorney Garvin announced his readiness to proceed with the trial. Mr. William F. Howe, assigned by the Court, appeared on behalf of the prisoner.

Judge Ingranam directed the jury to be called. The Clerk then proceeded to call the roll. Fully two hours were occupied in obtaining jurors, there being thirty or forty challenges on the part of the prisoner. At length the following gentiemen were sworn in, viz.:—George A. Terry (foreman), A. C. Foster, William Sendel, Albert Ivers, R. L. Decamp, N. G. Reeves, Patrick Conaway, Joseph Tolson, Jonn L. Aldridge, A. W. Comn, G. W. Lowery and Charles Jones. A recess was then taken, and at a quarter to two

Jones.

A recess was then taken, and at a quarter to two o'clock the court proceeded with

District Attorney Garvin opened the case on the part of the prosecution. He said the prisoner was charged with the highest crime known to the law, and the examination of the case on the part of the jury would involve not only their feelings, patience, judgment and best consideration, but it would involve the interests for time and eternity of the individual now on trial. The crime with which the prisoner was charged was committed under circumstances of great atrocity, so much so that the whole public mind was not only amazed but astounded at the manner in which the crime was perpetrated. The community had been from day to day, from month to menth astonished by the character of the crimes, sot only in this metropolis, but in the neighboring cities. Crime was spreading over the country. A man hardly walked upon the streets or approached his farm in the country when he was assaulted with personal violence, whether in the form of murder or for objects of plunder. He now asked the jury by the holy ties that cound them to those they loved best, as well as for the interest of the citizens, to give a courageous verdict in this case, and let the community understand that transgressors connected with the crime of murder in the city of New York can be punished by a jury. In this case he would show that William Townsend was murdered in his own house on the 29th of January last; that the poor, miserable prisoner came into his room and refused to leave 1; that Townsend gently laid his hand on his shoulder, saying, "You must go away; I have not room enough for my own family;" and that instead of going out the prisoner drew a knife and plunged it into Townsend's breast, after which he died within the space of twenty minutes, if the prosecution could show such a state of lacts, and the jury were satisfied it was true, and they saw no reason to doubt the statements or the witnesses he would ask for a verdict of murder in the first witness

was the first witness examined by the District Attories:—In we go one prother, a child; at the part of January Hived at No. 192 Honoso at rect; my father was a tailor, and also kept a grocery store in the basement; there were five steps leading down to it; I remember the 29th of January last; on the evening of that day my father, Harriet and I were sitting in the basement; the witness never saw the prisoner before that day; he came down to the basement at so 'clock; he entered without rapping; my father sail, "No in a chair; he said," You know me; I am your brother; I want to stay here all night;" my father sail, "No, sir, you are not my brother; and your brother; I want to stay here all night;" my father sail, "No, sir, you are not my brother; won't you please go out? I have not room enough for my father sail, "No in the prisoner, shoulder; the prisoner then dragged my father out on the steps.

By the Courte—Was it light or dark at this time? Witness—It was dark.

Examination resumed—The store was lighted; Harriet was present when this occurred; then I went out, and when I returned my father said and the back room; before I went out my father came in from the steps and sait down on the bench in the store; he was stabbed in the felt breast; at the time that the same time laying his stay in the prisoner dragged my father on the steps some men came to take the man away from my father came in from the steps and sait down on the bench in the store; he was stabbed in the felt breast; at the prisoner dragged my father on the steps some men came to take the man away from my father string on the bench and when I returned he was dead.

Cross-examined by Mr. Howe—The prisoner remained with my father on the steps; that was after he stabbed him; and confined to hold him; some men then came and look him away.

Harriet Townsend, eleven years old, was next examined—My father's name was William Townsend; on the 20th of January I remember the prisoner and he waited to the him it was no use to stay, whereapon the prisoner got ho

aix minutes.
To Mr. Howe-The prisoner resisted me very

violently; I did not hear him say anything; it took me two or three minutes to overcome him; I had to throw the prisoner; at that time he had not the knife in his hand; I saw a Mr. Klein there; there were two gentiemen there before I came; the prisoner was quite frenzied at the time; he was rough and violent; the prisoner said to me. "Show me a sight, you son —, and I can lick you;" I consigned the prisoner to an officer; I thought the prisoner had been drinking.

John Scully deposed that he was in the neighborhood of No. 192 Hudson street on 28th of January last; was present during the scuffle; witness picked up the knife and gave it to an officer; when witness went into the house Townsend was dead; the scuffle took place two or three steps down.

To Mr. Howe—The prisoner had the knife very tigntly in his grasp; that was a few moments after the deceased had been stabbed. Witness identified the prisoner.

went into the house Townsend was dead; the scuffe took place two or three steps down. To Mr. Howe—The prisoner had the knife very tigntly in his grasp; that was a few moments after the deceased had oces stabled. Witness identified the prisoner—I never saw that man before.

William Walsh was next examined—He stated that he was attracted to the occurrence by the cries of a child; saw Reynolds on top of Townsend; witness told him to get up off him; Townsend exclaimed, "My God! that man stabled me, and I don't know for what;" witness said, "You are stabled to the heart;" the deceased asked was there nobody to do anything for him; he subsequently went down the steps and the prisoner was handed to an officer; Townsend died in about ten minutes afterwards. Cross-examined—When going to the station house somebody asked the prisoner way he stabbed the man, and he replied that Townsend had striven to stab nim first; the prisoner acted like a rough; he seemed to be wild and tried to get away from me; I helped to take him to the station house; he applied coprobrious epithets to the officers to me, and to another man; when taken to the station house he told the sergeant that his name was Jack Reynolds, and that he was born in the United States; the sergeant saked him what his occupation was, and he said he was a thief.

In reply to the District Attorney the witness identified the prisoner.

Peter Kieln testified that on the night in question he was going down Hudson street when he was attracted by cries of "Murder;" saw the prisoner and Townsend scuming; the prisoner had a knife in his hand; wincess subsequently gried out "Police;" the deceased was raised up and entered into his house; the prisoner keps ttill for a moment or two and then endeavored to run away, but he was arressed; subsequently gring that the winess found that Mr. Townsend was desad.

Sergeant Matthew Thok deposed that on the night in question his attention was directed to hang the prisoner was very wild, but when in the station house he he had a their, in r

Captain Petty, of the Fifth precinct, was then examined by Mr. Howe, and stated that he visited the prisoner in the Fifth precinct station house, between eleven and half-past eleven; he was lying on the bunk apparently asleep. Witness shook him and awake him.

eleven and nair-past eleven; he was tying on the bunk apparently asleep. Witness shook him and awoke him.

Surgeon Hammond was next examined by Mr. Howe, and deposed that he gave special attention to the study of diseases of the nervous system; by request of the District Attorney he examined the prisoner twice, the first time on the 6th inst, and again on Sunday last; with reference to the formation of his skull and head, he found the left frontal eminence more depressed than the right; he would call the prisoner's nead an unsymmetrical cramiun; in a physical sense it is a majorination. After giving his opinion as to the character of the works of Taylor, itea, Morsley, Truso and others upon epilepsy and the various phases of insanity, the witness went on to describe epileptic manna and volitional insanity, showing that many persons were compelled to commit crime without any motive whatever while they labored under mental aberration. For instance, the exposure of a kinife or other implement of danger in such a case might excite the feeling to destroy life, and with regard to the family or relatives of the sufferer of that disease the desire was olden stronger to kill them than a stranger.

The witness stated that he had been summoned by

The witness stated that he had been summoned by the prosecution. He was subjected to a very rigid and searching examination by Mr. Howe, who cited several pertihent extracts on the subject of insanity, and elicited from Dr. Hammond a lucid explanation of the characteristic features of the disease, laboring under which men unconsciously committed crimes.

ing under which men unconsciously committee crimes.

In reply to the District Attorney the witness stated the result of his examination of the prisoner. He found him to be a man not much below the ordinary mental capacity of human beings. There was no rauli with his original condition; his cranium was unsymmetrical; the largest circumference of his head is twenty-three indices. The measurement was exactly the same on both sides, so that the depression on the left side of the frontal eminence is compensated for. The prisoner seemed perfectly conscious of having done something, and although he scious of having done something, and although he was a man of low intelligence, he did not believe he was laboring under any epileptic disease at the time the act was committed.

At this stage of the proceedings the case was adjourned this this morning, at half-past ten o'clock.

A "SENSATION" EXPLODED

What it is Said the Trinity Church Corporation Pays Its Employes and What it Does Pay-The Truth in a Nutshell-That Strike "Hoar."

A sensational array of alleged facts, setting forth the Trinity corporation as guilty of most irreligious closeness in the payment of its employes, from rec tor down to its choristers, appeared yesterday in a city sensation daily, which turns out to be utterly devoid of any foundation in fact. It is needless to state that scarcely a single statement in the entire article is true

First, in the article in question are given the

alaries of the teachers of the five schools connected with the Trinity parish. It is stated that the princi pals of these schools are paid only \$1,000 salary and \$600 to the assistants. On the contrary, the principals are each pald, with the exception of the one in charge of the Trinity chapel school, \$1,500 salary, \$1,200 being paid to the last only, as the attendance at this school compared with that at the others is very small, while to the assistants are paid \$700 each. It is said that these assistants give must lessons and work at other employments, and thus "barely keep themselves allve." As part of the blography of a "Poor Young Man," gotten up in the highly colored style of the Parisian fiction of this name, this looks cruelly severe in type, but its romantic fiction vanishes in the fact that it lacks truth as its basis. Next in order are presented the glowing outlines of "the huge loft in Liberty street, where pupils are taught, once used by poor Dr. Cutier, the emment organist of Trinity, as a bedchamber, because he found it impossible to hire a respectable house from a miserable salary." As Dr. Cutier never occupied this loft the pertunency of this attempt at loft, writing is very apparent. The third subject ventilated is the bay of the organists and choristers. It is stated that "salaries of the musical staff are not princely, Mr. Messiter, the organist, receiving \$1,500 a year, and the choristers \$1 a \$4 a week." Manany would suppose the organists are well paid, even at the amount stated, considering the slight draught that is made on their time; but the fact is all of the organists respectively of Trinity church, St. Faul's, St. John's and Trinity chapel receive \$2,500 salary each. Among the poorly paid choristers is mentioned Martin Lee, It so happens that advance in years, which likewise brought with them no advance in pay, as they do with all the best voiced choristers, compelied him to leave the choir some time ago, so that the sympathy sought to be excited in his case is rather ill-timed. Further on comes the statement that "the clergy, who do the hardest work, who pray and preach and minister to the rich and baptize, receive less than journeymen shoemakers," and in the same connection it is stated that "two connectated divines were recently obliged to quit Trinity church and St. Paul's chapel because their stipends were so miserably poor." The truth is more briefly told than these quotations. Rev. Mr. Van Kiecek, one of the clergymen received liberal salaries. As for the leading minister to the rich material salaries. As for the leading ministerial s barely keep themselves alive." As part of the biography of a "Poor Young Man," gotten up in the

"POISON IN THE AIR."

Dr. Harris' Report to the Board of Health-Relapsing Fever Contagious but Restricted-

The Number of Patients in the City-The Proposed Hospitals and the Present Temporary Hospital.

The Board of Realth is a close corporation in more senses than one. It affects the business style of autocratic governmental bureaus, insists on keeping its most important public proceedings secret, and is successful in being eminently ridiculous. Matters of the highest interest to the public have been in the knowledge of the Board for some time, but owing to the cranky perverseness of certain mem-bers extraordinary care was taken to prevent the press, and, consequently, the community, from the members of the Board the Board is the master of the situation and the people their servants. It is a fine position to hold, though it is not quite as a fine position to hold, though it is not quite as easy one to maintain. If these self-sundient doctors do wrong nothing is heard of it, if they do right care is taken to notify the press. A pig job can be concealed, an instance of official virtue chronicled. But however much the members of the Board of Health may ceedings they are not always successful. Those who try to muzzle the press must expect to be Dr. Harris, the Superintendent of the Board of

Health, made a report to the Board some time since, which was supposed to be of so much importance to the public that it was considered in secret section, and all knowledge of its contents was carefully concealed from the reporters of the press. It might contain highly important information neces-sary for the public to know, or be stuffed with holed it and chuckled spasmodically. Perhaps if they had not chuckled quite so much the HERALD would not have taken the trouble to obtain posses sion of it.

city states that he has himself examined fifty-four patients who are down with the disease; that he patients who are down with the disease; that he finds this peculiar fever to prevail in the low dens and tenement houses of the city; that it is superadded to pauperism and that it is contactious. The first case that came under his notice was that of Thomas Keane, of No. 3:2 Water street; he found in it characteristics different from any before encountered and called to his assistance Dr. Aolinzo Chark and other eminent consulting physicians. These gentlemen pronounced it a distinct form of disease and recommended the Board of Health to establish hospitals at once for the treatment of those why were taken with it, as it was understood that the Commissioners of Charitles and Correction could do nothing. In accordance with these recommendations the Board of Health established at No. 128 Worth street a temporary hospital for the accommodated of Patients affected with the fever. It can accommodated 1,000 persons, and is supposed to be well adapted for the purpose. The regulations of the hospital are stated to be perfect. Relapsing fever attacks people who do not have proper nourishment, and in the cases that have come under the notice of the Superintendent it was found that the patients had not eaten meat of any sort for a length of time. Those now at hospital are given pienty of mutton and beef soup, which is provided by charitable persons. The mortality among the patients down with the lever is only seven per cent. The learned doctor does not say, but it is true, that the per centage of deaths among children from whooping cough hospitals. Cleanity people do not suffer from relapsing fever because there is university of the perfect of the supposed to have been originally brought from the city of Brotherly Love by a diseased bummer some "Phoson in the air" about them, and they can sing "Shoo Fly" with a clean lace and conscience. The disease is considered contagnous because it is supposed to have been originally brought from the city of Brotherly Love by a diseased bummer some weeks ago. The number of persons suffe

Ac., &c., in 1867, occurs the following passage:—
Added to all that the sanilary authorities did and ordered to be done against cholera, we must not forget to give credit for the mestimable amount of preventive care and disinfection applied by the people themselves, under the constantly reiterated suggestions of the daily press, concerning cleanaring and disinfection. Popular intelligence and popular faith in regard to the requisits means of cholera prevention amazingly strengthened and extended the safeguards against the epidemic. Medicine had failed in each recurring epidemic to save the collapsed victimes of the cholera potoon. Because of the failure of remedial measures, and in view of the fearful destructiveness of this exotic scourge, thoughtful physicians in all countries resolved to solve the problem of preventing the evit they could not cure. Experience proves that this problem has at last been solved. has at last been solved. Experience in the Metropolitan district has abundantly proved that the beat way to prevent both pestilence and panic is to know and prepare for the danger. Indeed, this is the only way to deal with cholera, and he who knows the sources of peril will, if wise, apply the means of safety.

If in the opinion of Dr. Harris there is danger from "pestilence and panie" just now, would it not be well that the public should "know and prepare for the danger?" But then it is an obvious fact that the Board of Health is much more interested in the "panie" than the public, for the excellent reason that a "pestilence" does not exist. The following letter from a correspondent is added as an opportune commentary on Dr. Harris' re-

port:—
To THE EDITOR OF THE HERALD:—
I desire to state a few words in corroboration of the comment in your valuable paper of the 20th inst. In regard to Dr. Harrie's statement of relapsing fever in Mulberry and Cherry streets.
I am a resident of Molberry street, and know that no such thing as fever existed in that locality, although he has compeled several basements to be vacated by the false assertion that fever infected them when really no fever existed in the vicinity. I therefore believe him to be far you do; an "old humbing," trying to raise a sensation, and seeking some method to convince the public of the accessity of the Board of Health, as well as to induce the Governor to issue a proclamation declaring the relapsing fever a pestilence, and ordering a hospital for its use, by which he (Dr. Harrisi could carica himself, though the Board receives its death blow. The doctor's motto evidentify is. While we live well grow."

UNCE AN ARISTOCRAT, BUT NOW A POOR LODGER.

BURGLARIES ON THE EAST SIDE.

Three Cases at Essex Market Police Court-Three charges of burgiary were made yesterday by residents of the east side of the city before Justice Ledwith, at the Essex Market Police Court. During the past two weeks crime has been on the increase in that part of the metropolis, and the presiding magistrates have found their hands full of important cases. The cases yesterday were as fol-

BURGLARY IN BAST ERVENTEENTH STREET. Louis Berge, a piano manufacturer, appeared be-fore the Justice and charged a young man named August Lutz with breaking into his factory, No. 343 Second avenue, and attempting to steal therefrom plane tools and materials of the value of \$300. On

Second avenue, and attempting to steal therefrom plano tools and materials of the value of \$300. On Sunday night Mr. Berge visited his factory and found the glass of a side window broken and door forced open. On entering the premises he discovered the prisoner. In the factory, and a quantity of tools and materials gathered together for the purpose of removal. Mr. Berge arrested the burgiar and held him unit officer Burleigh, of the Eighteenth precinct, arrived, who took the prisoner into custody. On seasching him at the station house a quantity of property, identified by Mr. Berge, was found in his possession. Latz (who is a German baker) pleaded guilty to the charge of burgiary, and was committed to answer.

A young man, giving his name as James Gavigan, was arragned at the same court, charged by Clements Ell, of No. 202 Forsyth street, with burglariously entering his premises and stealing a watch and chain, valued at eighteent dollars. Shortly after ten o'clock on Sunday night Mr. Ell retired to bed, and at a later hour was awakened by noises in his apartment. Jumping from his bed he found Gavigan in one of his rooms, and at once asked him his business. Gavigan, finding himself detected, took to his heels and ran from the house, closely pursued by Mr. Ell. The fugitive was soon overtaken, and when his bing hem severely. Mr. Ell, however, held on to his prisoner till officer McGrim, of the Tenth precinct, came to his assistance and took the prisoner into custody. Gavigan stated that he was not guilty, but Justice Ledwith held him to answer at the General Sessions.

Breaking into a Canaleoat.

Two ill-looking young men named Timothy and James Devine were yesterday arraigned before like Justice Ledwith, charged with breaking into a scaooner belonging to Captain Hart, now lying at the foot of Iwenty-third street, East river. On Saturday seaning the men wend on board the vessel and broke open the deck box. While leaving with about seventy-five dollars worth of property life men were detected and arrested by an off